

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JESSICA HILL,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Commissioner of Social Security,

Defendant.

No. 2:13-CV-3090-JTR

ORDER GRANTING STIPULATED  
MOTION TO REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 23. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Nicole A. Jabaily represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 11. After considering the file, and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion to Remand, **ECF No. 23**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) will hold a new hearing, reconsider the medical evidence pertaining to Plaintiff's mental and physical limitations, and issue a new decision. Specifically, the ALJ shall: (1) address the medical opinion of John McRae, M.D.; (2) reconsider the medical opinions of

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1 Diane Fligstein, Ph.D., Patricia Kraft, Ph.D., and Stephen Woolpert, M.S., as they  
2 relate to Plaintiff's ability to respond to supervision; (3) consider the MRI results  
3 from September 2010; (4) update the record, considering any new evidence  
4 submitted by Plaintiff; (5) give Plaintiff an opportunity to testify; (6) reconsider  
5 Plaintiff's residual functional capacity in light of the above, and provide specific  
6 reasons supported by the record for all findings; and (7) continue with the  
7 remaining steps of the sequential evaluation process, obtaining supplemental  
8 vocational expert evidence regarding the erosion of the occupational base caused  
9 by Plaintiff's assessed limitations. The ALJ will take any other actions necessary  
10 to develop the record, and Plaintiff may submit additional evidence and present  
11 additional argument to the ALJ on remand.

12 2. **Judgment shall be entered for PLAINTIFF.**

13 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is  
14 **STRICKEN AS MOOT.**

15 4. An application for attorney fees may be filed by separate motion.

16 The District Court Executive is directed to enter this Order, forward copies  
17 to counsel, and **CLOSE THE FILE.**

18 DATED May 29, 2014.



A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE